

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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BOBBIJO COSME,

Plaintiff,

5:13-CV-0933  
(GTS/TWD)

v.

COMMISSIONER OF SOCIAL SECURITY,

Defendant.

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APPEARANCES:

OF COUNSEL:

OLINSKY LAW GROUP  
Counsel for Plaintiff  
300 South State Street, Suite 420  
Syracuse, New York 13202

HOWARD OLINSKY, ESQ.

SOCIAL SECURITY ADMINISTRATION  
OFFICE OF REG'L GEN. COUNSEL—REGION II  
Counsel for Defendant  
26 Federal Plaza, Room 3904  
New York, New York 10278

KAREN T. CALLAHAN, ESQ.

GLENN T. SUDDABY, United States District Judge

**DECISION and ORDER**

The above matter comes to this Court following a Report-Recommendation by United States Magistrate Judge Thérèse Wiley Dancks, filed on February 11, 2015, recommending that the Commissioner's motion for judgment on the pleadings be granted, that its decision be affirmed, and that Plaintiff's Complaint be dismissed. (Dkt. No. 19.) Objections to the Report-Recommendation have not been filed and the time in which to do so has expired. (*See generally* Docket Sheet.) After carefully reviewing all of the papers herein, the Court can find no clear error in the Report-Recommendation. As a result, the Report-Recommendation is accepted and adopted in its entirety.

**ACCORDINGLY**, it is

**ORDERED** that Magistrate Judge Dancks' Report-Recommendation (Dkt. No. 19) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

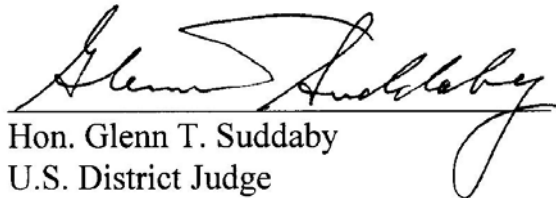
**ORDERED** that Plaintiff's motion for judgment on the pleadings (Dkt. No. 13) is **DENIED**; and it is further

**ORDERED** that Defendant's motion for judgment on the pleadings (Dkt. No. 18) is **GRANTED**; and it is further

**ORDERED** that Defendant's decision is **AFFIRMED**; and it is further

**ORDERED** that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED**.

Dated: March 11, 2015  
Syracuse, New York

  
Hon. Glenn T. Suddaby  
U.S. District Judge